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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16 GOPI VEDACHALAM and KANGANA
BERI, on behalf of themselves and all
17 others similarly situated,

18 Plaintiffs,

19 v.

20 TATA AMERICA INTERNATIONAL
CORPORATION, a New York
21 Corporation; TATA CONSULTANCY
SERVICES, LTD, an Indian Corporation;
22 and TATA SONS, LTD, an Indian
Corporation,

23 Defendants.

24 CASE NO. C 06-0963 (VRW)

25 **STIPULATION AND [PROPOSED] ORDER**
26 **RE: CLASS CERTIFICATION MOTION**
DEADLINES

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1 **WHEREAS**, at the case management conference on April 1, 2010, the Court scheduled
2 the class certification hearing for October 7, 2010; ordered that Plaintiffs' Reply Brief be filed no
3 later than two weeks before the hearing; and ordered the parties to meet and confer on a briefing
4 schedule;

5 **WHEREAS**, at the case management conference, the parties raised with the Court a
6 discovery dispute concerning Plaintiffs' request for, and Defendants' objection to, production of
7 names and contact information of Defendants' current and former employees, from February 14,
8 2002 to the present;

9 **WHEREAS**, at the case management conference, the parties resolved the above
10 referenced discovery dispute and agreed upon a process, which the Court approved, by which a
11 notice would be sent by a third-party administrator to a to-be-determined random sample of
12 putative class members informing them of the putative class members' right to opt-out of
13 permitting their name and contact information to be provided to Plaintiffs' counsel ("Opt-Out
14 Notice Letter");

15 **WHEREAS**, at the case management conference, the Court directed the parties to meet
16 and confer on an acceptable method and content for the Opt-Out Notice Letter;

17 **WHEREAS**, after the case management conference, the parties endeavored to and
18 succeeded in negotiating the form and content of the Opt-Out Notice Letter, and agreed upon a
19 third-party administrator, a process by which a random sample of putative class members shall be
20 selected, and as to who would pay for the provision of notice;

21 **WHEREAS**, the third-party administrator mailed the Opt-Out Notice Letter in the second
22 week of July, 2010, later than the parties anticipated when the October 7, 2010 class certification
23 hearing date was selected at the case management conference;

24 **WHEREAS**, the parties have been moving forward in discovery, including conducting
25 three depositions in June 2010, however, two depositions that were originally scheduled for June
26 25 and June 30, 2010, respectively, needed to be rescheduled for late July and mid-August;

27 **WHEREAS**, the parties have met and conferred regarding the briefing schedule for
28 Plaintiffs' class certification motion, and agree that the parties require additional time to prepare

1 the class certification briefing so that they may use and/or respond to the information to be gained
2 from the depositions and contacts with putative class members (though Defendants do not
3 concede that information generated from putative class members as a result of the Opt-Out Notice
4 Letter process may be relevant, admissible or otherwise useable for class certification);

5 **THE PARTIES HEREBY AGREE AND STIPULATE AS FOLLOWS:**

- 6 1. Plaintiffs' Motion for Class Certification, currently set for hearing on October 7, 2010, is
7 re-set for hearing on December 16, 2010 at 10:00 a.m.;
- 8 2. Plaintiffs' Opening Brief in Support of the Motion for Class Certification shall be served
9 and filed by October 7, 2010;
- 10 3. Defendants' Opposition Brief shall be served and filed by November 15, 2010; and
- 11 4. Plaintiffs' Reply Brief shall be served and filed by December 2, 2010.

12 **IT IS SO STIPULATED.**

13 Dated: July 14, 2010

Respectfully submitted,

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1 Dated: July 14, 2010

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ORDER

Based on the preceding stipulation, this Court hereby orders that the class certification briefing shall proceed and the hearing shall be set as follows:

Plaintiffs' Motion for Class Certification, currently set for hearing on October 7, 2010, is re-set for hearing on December 16, 2010 at 10:00 a.m.;

Plaintiffs' Opening Brief in Support of the Motion for Class Certification shall be served and filed by October 7, 2010;

Defendants' Opposition Brief shall be served and filed by November 15, 2010; and

Plaintiffs' Reply Brief shall be served and filed by December 2, 2010.

Dated: 7/20/2010

HONORABLE VAUGHN P. WALKER
Chief Judge, U.S. District Court


Judge Vaughn R Walker